



LOS ANGELES COUNTY DEPARTMENT OF HEALTH SERVICES
HARBOR-UCLA MEDICAL CENTER

SUBJECT: PHARMACEUTICAL AND MEDICAL SUPPLY COMPANY REPRESENTATIVES

POLICY NO. 326

CATEGORY: Provision of Care	EFFECTIVE DATE: 1/88
POLICY CONTACT: Jennie Ung, PharmD	UPDATE/REVISION DATE: 12/21
REVIEWED BY COMMITTEE(S): Pharmacy and Therapeutics	

PURPOSE:

To provide guidelines for the activities of pharmaceutical and medical supply company representatives at Harbor-UCLA Medical Center.

BACKGROUND:

All pharmaceutical sales representatives (PSRs) are subject to the following rules and regulations upon visiting or contacting all Department of Health Services (DHS) affiliated medical centers, comprehensive health centers, clinics, programs, mobile clinics, or services. PSRs include any employee of a pharmaceutical/manufacturing firm who keeps any form of contact with healthcare professionals for the purpose of directly or indirectly promoting their firm's proprietary products. These include, but are not limited to, pharmaceuticals, medical devices, cosmetic agent, and nutritional feeds.

These rules and regulations apply to all contacts, including functions such as continuing education (regardless of whether the person contacted is a physician, nurse practitioner, pharmacist, physician's assistant, or other healthcare provider). All pharmaceutical sales representative privileges will be reviewed as indicated by the facility Pharmacy and Therapeutics Committee. Policy issues concerning such privileges may be re-reviewed or clarified by the DHS Pharmacy and Therapeutics Committee on an as needed basis.

POLICY:

At Harbor-UCLA Medical Center, the following rules and regulations are designed to govern the activities of pharmaceutical and medical supply representatives on campus.


PROCEDURE:

District managers, company supervisors, or the equivalent are responsible to ensure that each PSR complies with the following rules and regulations.

REVISED: 8/89, 1/02, 2/05, 6/06, 9/14, 3/15, 6/18

REVIEWED: 10/92, 2/96, 1/99, 1/02, 6/06, 9/14, 3/15, 5/15, 6/18,12/21

APPROVED BY: 
Anish Mahajan, MD
Chief Executive Officer


Anish Mahajan, MD
Chief Medical Officer


Jason Black, MBA, DNP, RN
Chief Nursing Officer



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A. Sanctions / Non-Compliance

- Failure to observe all provisions of these rules and regulations will prompt Los Angeles County (LAC) DHS officials to immediately escort the PSR off DHS premises, issue a letter of complaint to the PSRs' manager(s), and temporarily or permanently suspend the PSR's visiting privileges. LAC DHS has the right to exercise any of these corrective actions in any order they wish within reasonable means after the violation. Continuation of such activities may result in revocation of visiting privileges for the individual and/or the vendor and cancellation of all existing/future contractual agreements. Revocation of privileges in one DHS facility may be applied to other DHS facilities. Revocation of privileges for one vendor may result in similar sanctions for vendors sharing ownership or involved in joint ventures.
- Failure of vendors or PSRs to follow FDA regulations, DHS, or facility utilization guidelines regarding pharmaceutical products may also lead to a loss of privileges.

B. Registration

- Prior to all visits to any DHS facility, District Managers (DM) or the equivalent shall ensure that all PSRs register with the facility's Pharmacy Administration Office or designated area at each visit. All PSRs are required to register, even for a one-time visit. Each registrant must provide the following:
 - Name, business address and both business and after-hours telephone numbers
 - Name, business address, and telephone number of immediate supervisor or DM**Note:** The number of PSRs per vendor with visit privileges may be limited. The number of vendors with shared ownership or cross-licensing agreements that will be allowed to promote the same products may be limited.

C. Activity Standards: Sign-in, Sign-out, and Identification

- When visiting DHS facilities for any reason, each PSR must first sign-in at the designated registration area if the facility does not have a pharmacy. The vendor must write onto the document provided:
 - The names of all the physicians, other individuals, or group meetings with whom the PSR has appointments and the nature of the visit.
 - The name of the product(s) which will be promoted.
- The PSR will sign-out at the designated registration area when the visit is complete.
- PSRs must wear the special badges provided by the facility's Pharmacy Administration Office or designated area and his/her company identification badge at all times while at DHS facilities. The special badges will be provided by the facility at the time the PSR registers and must be returned when leaving the facility. These badges do not grant privilege to the PSR to visit other DHS facilities.
- The facility's Pharmacy Administration Office or designated registration area shall ensure the badge is returned by the vendor before the close of the same business day. The vendor must sign-out before leaving the premises. Failure to sign-out and return the special badge may be grounds for disciplinary action as detailed in the Sanctions/Non-compliance section.
- The PSR may be escorted, if staffing and time permits, by a DHS employee to the designated site visit. If so, the PSR must remain accompanied by the DHS staff until the destination is reached.

D. Prohibited Areas



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- PSRs are prohibited from entering physician, nurse practitioner, physician assistant, pharmacist and other provider offices, patient care areas, nursing units, corridors, and waiting rooms without an appointment. Mail rooms, copier rooms, libraries, employee or physician lounges in all DHS or affiliated facilities are off-limits to PSRs at all times.
- Authorization to be present in an area is granted 15 minutes prior to, and after the scheduled appointment time.
- The PSR is prohibited from attending any physician or health care provider conference/meeting where patient specific information and/or treatment plans are discussed.
- The PSR is also barred from visiting patient care areas which include but are not limited to, the Intensive Care Unit, Emergency Room, Cardiac Catheterization Lab, Operating Room, and other areas deemed inappropriate for PSR activity.

E. Appointments

- PSRs may visit a physician, nurse practitioner, physician assistant, pharmacist, or other patient care provider with an appointment. This means the provider has reserved a specific date and time to see the PSR. A request for literature or material should not be considered a reason to drop in without a scheduled appointment. Physicians or other providers may contact PSRs by obtaining the telephone number from the facility Pharmacy Administration Office.
- PSRs may not obtain Drug Enforcement Agency (DEA) and National Provider Identifier (NPI) numbers from any healthcare provider s/he visits.
- PSRs may not solicit invitations to healthcare providers during their visits regarding pharmaceutically-sponsored events, such as dinner talks and trade expositions.
- PSR registration areas will maintain a list of physicians and other providers who have asked that PSRs not attempt, by telephone, mail, or otherwise, to contact them. When such a request is recorded, the PSRs or vendor representative shall not contact these individuals.

F. Educational or Promotional Information

- Detailing is defined as the transfer of medical or general information about product(s) by the PSR or agent speaking on behalf of, or funded by the PSR to physicians or other healthcare personnel in an institution-sponsored educational activity. This includes the citing of journal studies, side effects, superiority over competitors' products, or general product information, for the purpose of promoting sales.
- Detailing or promotion of any non-DHS Core Formulary drugs is prohibited unless the healthcare provider specifically requests the information. No detailing in any group setting shall occur of new products prior to evaluation by the DHS Pharmacy and Therapeutics Committee.
- Moreover, detailing which opposes DHS guidelines or restrictions are strictly prohibited.

G. Posting of Material

- The posting of any kind of direct-to-consumer or "educational" material referencing a specific non-formulary product(s) with the name of the pharmaceutical company by either the pharmaceutical representative or county employee on any County premises is strictly prohibited. Educational material may be posted by a County employee only for agents currently on the DHS formulary.



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H. Price Information

- Specific DHS Los Angeles County-negotiated pricing information by the PSR or designated agent speaking on behalf of or funded by the PSR or vendor shall not be discussed either publicly or privately with physicians or other healthcare personnel.

I. Samples

- Drug, supply, and device samples shall NOT be distributed and are strictly prohibited.

J. Food provided by pharmaceutical and medical supply company representatives is not allowed on campus.

K. Violators shall be brought to the attention of the Pharmacy and Therapeutics Committee for review.

Reviewed and approved by:
Medical Executive Committee 12/2021

A handwritten signature in cursive script that reads "Beverley A. Petrie".

Beverley A. Petrie, M.D.
President, Professional Staff Association